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m.m.  
S/15/03

Response Under 37 CFR §1.116  
Expedited Procedure  
Examining Group 1600  
PATENT APPLICATION  
Serial No. 09/856,277  
Attorney Docket No. 702-010802

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 1616 :

In re application of :

**Peter Josef Leo HESPEL** :

Serial No. 09/856,277 :

Filed August 20, 2001 :

Examiner Sharmila S. Gollamudi :

**ORAL CREATINE-SUPPLEMENTATION  
FOR TREATING OR PREVENTING  
MUSCLE DISUSE SYNDROME**

Pittsburgh, Pennsylvania  
May 7, 2003

RECEIVED  
PATENT & TRADEMARK OFFICE  
EXAMINER 1600/2900  
MAY 12 2003

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

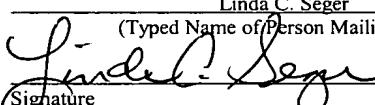
Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 7, 2003 of the Primary Examiner finally rejecting claims 9-20. A supporting Appeal Brief will be filed in due course.

05/12/2003 AWDMDAF1 00000069 09856277

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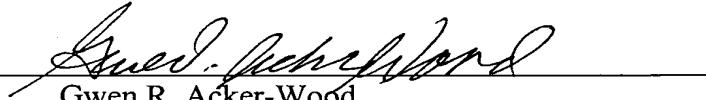
320.00 OP

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Alexandria, VA 22313-1450 on May 7, 2003	
<p style="text-align: center;">Linda C. Seger (Typed Name of Person Mailing Paper)</p>	
 Signature	05/07/2003 Date

Pursuant to 37 C.F.R. §1.17(b), a check is enclosed herewith to cover the cost of filing the Notice of Appeal. The Commissioner for Patents is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Notice of Appeal are enclosed.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON  
ORKIN & HANSON, P.C.

By   
Gwen R. Acker-Wood  
Registration No. 51,027  
Attorney for Applicant(s)  
700 Koppers Building  
436 Seventh Avenue  
Pittsburgh, PA 15219-1818  
Telephone: 412-471-8815  
Facsimile: 412-471-4094  
E-mail: webblaw@webblaw.com